

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. CIV-08-177-FHS
)	
FOUR TRACTS OF REAL PROPERTY,)	
IN PITTSBURG COUNTY, OKLAHOMA,)	
)	
<i>Defendants.</i>)	

FINAL ORDER AND JUDGMENT OF FORFEITURE

This case comes before the Court upon the Plaintiff's Motion for Final Order and Judgment of Forfeiture as to the Defendant Properties. After a review of the pleadings filed herein and being fully advised in the premises, this Court finds that a Final Order and Judgment of Forfeiture should now be entered. In ordering forfeiture of the Defendant Properties, this Court finds and concludes as follows:

WHEREAS, a verified Complaint for Forfeiture *In Rem* was filed in this action on May 13, 2008, an Amended Complaint for Forfeiture *In Rem* was filed on August 11, 2008, and a Second Amended Complaint for Forfeiture *In Rem* was filed on August 22, 2008, alleging that the Defendant Properties are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(7);

AND WHEREAS, the United States has alleged that the Defendant Properties are subject to forfeiture to the United States because the Defendant Properties, with all appurtenances and improvements thereon, are real properties which were used or intended to be used to facilitate the commission of a violation of 21 U.S.C. § 801 et seq., punishable by more than one year's

imprisonment, and are therefore, subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(7);

AND WHEREAS, this Court has jurisdiction over this action pursuant to 28 U.S.C. § 1345, and § 1355(a), this Court has *in rem* jurisdiction over the defendant Subject Properties pursuant to 28 U.S.C. § 1355(b), and venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1) and § 1395;

AND WHEREAS, the Government posted a Notice of Civil Forfeiture on the official government internet site (www.forfeiture.gov) for 30 days, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, from September 26, 2008, through October 25, 2008, and Proof of Publication was filed herein on October 30, 2008;

AND WHEREAS, on May 14, 2008, the Government served Jeffrey Carl Turner and Patricia Ann Turner, the only known persons with standing to file a claim to the Defendant Properties, with Notice of Judicial Forfeiture Proceedings, by serving said Notice on Warren Gotcher, Attorney for Jeffrey Carl Turner and Patricia Ann Turner, along with a copy of the Civil Complaint for Forfeiture *In Rem*;

AND WHEREAS, a Consent Decree for Forfeiture in Rem, executed by Jeffrey Carl Turner and Patricia Ann Turner was filed herein on June 25, 2008, and an Amended Consent Decree for Forfeiture in Rem, executed by Jeffrey Carl Turner and Patricia Ann Turner was filed herein on December 18, 2008, in which Jeffrey Carl Turner and Patricia Ann Turner voluntarily consented to the forfeiture of the Defendant Properties;

AND WHEREAS, all persons and/or entities interested in the Defendant Properties were required to file claims within: (a) 30 days after actual notice; or (b) 35 days after the date notice is sent, (c) 30 days after the date of final publication, or 60 days after the first day of publication on an official internet government forfeiture site, whichever occurred first, and were required to file answers to the Complaint within twenty (20) days after filing their respective claims;

AND WHEREAS, no claims or answers have been filed of record as to said Defendant Properties, and the time for presenting claims and answers has expired; and, therefore, default exists as to the Defendant Properties and any and all persons later claiming an interest therein.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the following-described Defendant Properties:

Tract One:

A tract of land containing 140.77 acres more or less, being a part of Lot 1, Lot 2 and E ½ NW 1/4, of Section 30, T-5-N, R-15-E, Pittsburg County, State of Oklahoma, I.B.M. more particularly described as follows: Beginning at the Northwest corner of Lot 1, of Sec. 30, thence N.89°59'28"E. 2640.82' feet, along the North line of Lot 1 and E ½ NW 1/4, of Sec. 30, thence S.00°01'59"E. 2411.66' feet along the East line of the E ½ NW 1/4 of Sec. 30, thence S.89°59'09"W. 1489.23' feet, along a line parallel to the South line of Lot 2 and E ½ NW 1/4, of Sec. 30, thence N.00°00'00" E. 209.38' feet, thence S.89°59'09" W. 1155.46' feet along a line parallel to the South line of Lot 2, said point being on the West line of Lot 2, thence N.00°03'53"E. 2202.52' feet, along the West line of Lot 2 and Lot 1 of Sec. 30, to the point of beginning;

Tract Two:

A tract of land containing 80.57 acres more or less, being Lot 1 and Lot 2, of Section 31, T-5-N, R-15-E, Pittsburg County, State of Oklahoma, I.B.M. more particularly described as follows: Beginning at the Northwest corner of Lot 1 of Sec. 31, thence N.89°59'20"E. 1330.89' feet, along the North line of Lot 1, of Sec. 31, thence S.00°03'22"E. 2641.47' feet, along the East line of Lot 1 and Lot 2, thence S.89°58'11"N. 1326.28 feet, along the South line, Lot 2, of Sec. 30, thence N.00°09'30"W. 2641.91' feet, along the West line of Lot 2 and Lot 1, of Sec. 30, to the point of beginning;

Tract Three:

A tract of land containing 160.33 acres more or less, being the NE 1/4, of Section 36, T-5-N, R-14-E, Pittsburg County, State of Oklahoma. I.B.M. more particularly described as follows: Beginning at the Northeast corner of the NE 1/4, of Section 36, thence S.00°09'30"E. 2641.91' feet, along the East line of the NE 1/4, of Sec. 36, thence N.89°58'39"W. 2648.94' feet, along the South line of the NE 1/4, of Sec. 36, thence N.00°02'11"E. 2640.20' feet, along the West line of the NE 1/4, of Sec. 36, thence N.89°59'08"E. 2639.96' feet, along the North line of the NE 1/4, of Sec. 36, to the point of beginning;

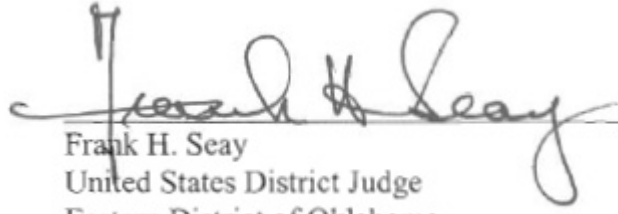
Tract Four:

A tract of land containing 384.20 acres more or less, being the NE 1/4 NE 1/4, S ½ NE 1/4, SE 1/4, part of the SW 1/4, part of the NW 1/4, of Section 25, T-5-N, R-14-E, Pittsburg County, State of Oklahoma. I.B.M. more particularly described as follows: Beginning at the Northeast corner of Section 25, thence S.00°03'53"W. 2638.52' feet, along the East line of the NE 1/4, of Sec. 25, thence S.00°04'00" W. 2638.56' feet, along the East line of the SE 1/4, of Sec. 25, thence S.89°59'08"W. 2639.96' feet, along the South line of the SE 1/4, of Sec. 25, thence S.89°57'56"W. 2639.21' feet, along the South line of the SW 1/4, of Sec. 25, thence N.00°16'10"E. 593.48' feet, along the West line of the SW 1/4, of Sec. 25, thence N.89°58'26"E. 1580.00' feet,

along a line parallel to the North line of NW 1/4, of Sec. 25, thence N.00°06'38"E. 2099.06' feet, thence N.20°07'26"E. 907.74' feet, thence N.89°58'26"E. 749.10' feet, along a line parallel to the North line of the NW 1/4, of Sec. 25, thence N.00°08'12"E. 416.84' feet along the East line of the NW 1/4, of Sec. 25, thence S.89°56'31"E. 1317.25' feet along the North line of the S ½ NE 1/4, of Sec. 25, thence N.00°06'02"E. 1317.25' feet, along the West line of the NE 1/4 NE 1/4, of Sec. 25, thence N.89°58'08"E. 1316.42' feet along the North line of the NE 1/4 NE 1/4, of Sec. 25, to the point of beginning;

be, and it hereby are, forfeited to the United States of America for disposition according to law.

Entered this 22nd day of December, 2008.


Frank H. Seay
United States District Judge
Eastern District of Oklahoma

SUBMITTED BY:

s/Linda A. Epperley

LINDA A. EPPERLEY, OBA #12057

Assistant United States Attorney